

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

ROBERT JEFFERY,

Plaintiff,

vs.

**JOHN C. HEATH, ATTORNEY AT LAW,
PLLC d/b/a LEXINGTON LAW FIRM,**

Defendant.

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) **Civil Action No.**
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DEFENDANT'S NOTICE OF REMOVAL

TO: The United States District Court for the Southern District of Georgia, Savannah Division
and All Counsel of Record

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1446(a) and (b), the Defendant hereby removes this case to the United States District Court for the Southern District of Georgia, Savannah Division based on the following grounds:

1. This action is removable to the United States District Court under 28 U.S.C. §§ 1331 and 1441 on the grounds of federal question jurisdiction, in that the complaint purports to allege a cause of action under the Telephone Consumer Protection Act, 47 U.S.C. §227, *et seq.*; See *Mims v. Arrow Financial Services, LLC*, 565 U.S. 368 (2012).

2. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty days after Defendants' receipt of the initial pleadings setting forth the claim for relief upon which this action is based.

3. Pursuant to 28 U.S.C. § 1446(a), attached hereto as Exhibit "A" are copies of all documents, which are all the process, pleadings and orders received by one or more Defendants in this action. Upon information and belief, these documents comprise all the process, pleadings and orders filed or served in the Superior Court Action.

4. Upon receipt of this Notice, no further action shall be taken in the State Court of Chatham County, State of Georgia.

5. By filing this Notice of Removal, the Defendants demonstrate their consent to the removal of the case to this Court.

This 17th day of February, 2017.

HUNTER, MACLEAN, EXLEY & DUNN, P.C.

/s/ Kirby G. Mason

Kirby G. Mason
Georgia Bar No. 302310

Attorneys for Defendant

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